IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HONOURBLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.14553 of 2004

Between:

1. Dr. D. Ravi Choudary, S/o Dr. Venkaiah Choudary, 50 yeas,
   R/o 501/502, Siva Ram Towers, Ramsastri Street, Prajashaktinagar,
   Vijayawada - 10.

2. D. Aruna Choudary W/o Dr. D. Ravi Choudary, 41 years,
   R/o 501/502, Siva Ram Towers, Ramsastri Street, Prajashaktinagar,
   Vijayawada - 10.

...PETITIONERS

AND

The Regional Passport Officer, Kummaraguda, Secunderabad - 500 003.

...RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of writ of Mandamus declaring the action of the respondent in issuing the impugned proceedings, dated 27.07.2004 in REF.Nos.E/000911/04 and E/000908/04 requiring the petitioners to surrender their passports bearing Nos. E7358821 and E7358807 as illegal, arbitrary, without power or authority and consequentially to direct the respondent to refrain from taking any steps to deprive the petitioners from availing the passports issued to them before passing any valid and legal orders Under Section 10(3) of the Passports Act, 1967 after following the procedure.

Counsel for the Petitioners: MR.M.SUDHIR KUMAR

Counsel for the Respondent: Akhter Ahmed Jabri, Additional SC for CG

The Court made the following:

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ORDER:

The second petitioner is the wife of the first petitioner, who is a medical doctor. The petitioner Nos.1 and 2 obtained passports bearing Nos.E7358821 and E7358807 respectively. These passports were issued on 12.01.2004. Nonetheless by two separate letters, dated 27.07.2004, the petitioners herein were directed to surrender their passports within 21 days, failing which necessary action was proposed. Except informing that obtaining a passport by suppressing any material information intentionally is an offence and making reference to the letter of the petitioners regarding adverse police report, no reasons were disclosed. This Writ Petition is filed assailing the communication sent by the respondent to the petitioners on 27.07.2004.

This Court admitted the Writ Petition on 17.08.2004 and directed the learned Additional Central Government standing counsel to file counter-affidavit. Today miscellaneous application is listed for necessary orders. Sri Akhter Ahmed Jabri, learned Additional Central Government standing counsel submits that the respondent has already recalled the letter dated 27.07.2004 and validated the passport for a period of one year. The same is recorded and the Writ Petition is accordingly disposed of.

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(V.V.S.RAO, J)

2nd September 2004

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Regional Passport Officer, Kummaraguda, Secunderabad - 500 003.
2. Two CD copies.